

DT04 Rec'd PCT/PTO 2 5 SEP 2004

PCT Applicant's Guide - Volume II - National Chapter - US

p. 2 Fax

US

Annex US.II, page 1

|   |  |   |  |   |
|---|--|---|--|---|
| FORM PTO-1330<br>(REV. 10-2003)   |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER                            |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |  |   |  | U.S. APPLICATION NO. 01/270,117<br><b>10/508967</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/IB03/03315</b>  | INTERNATIONAL FILING DATE<br><b>07/10/03</b> | PRIORITY DATE CLAIMED<br><b>07/19/2004</b>              |  |   |
| TITLE OF INVENTION <b>"PostEinstein-Borh definitive end and development of New Physics with consequences as new superaccelerators and direct electricly transformation Into light"</b><br>APPLICANT(S) FOR DO/EO/US <b>Y. Zagysansky</b>  |  |   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |  |   |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br/> <input checked="" type="checkbox"/> has been communicated by the International Bureau <b>by demand of USPTO</b><br/> <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).         </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"> <input type="checkbox"/> is attached hereto.<br/> <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).         </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br/> <input type="checkbox"/> have been communicated by the International Bureau.<br/> <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br/> <input type="checkbox"/> have not been made and will not be made.         </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>Form PTO/SB/01</b></p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>1. Covering letter</b></p> |  |   |  |   |

PTO 1 of 2

Yul Agas 25th September 2004

(1 January 2004)

BEST AVAILABLE COPY

DT04 Rec'd PCT/PTO 25 SEP 2004

US

Annex US.II, page 2

PCT Applicant's Guide - Volume II - National Chapter - US

p.3 Fax

|   |              |                               |          |                           |  |
|---|--------------|-------------------------------|----------|---------------------------|--|
| U.S. APPLICATION NO. (If known) <b>10/508967</b>  |              | INTERNATIONAL APPLICATION NO. |          | ATTORNEY'S DOCKET NUMBER  |  |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: <b>US certain excess (at least \$460) of</b>  |              |                               |          | CALCULATIONS PTO USE ONLY |  |
| BASIC NATIONAL FEE (37 CFR 1.492) (payment for my previous Appl. PCT/EP02/02302)  |              |                               |          |                           |  |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....  |              |                               |          | \$10 0.00                 |  |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....   |              |                               |          | \$9 0.00                  |  |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....  |              |                               |          | \$7 0.00                  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO, but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....  |              |                               |          | \$7 0.00                  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   |              |                               |          | \$100.00                  |  |
| ENTER APPROPRIATE BASIC FEE AMOUNT =  |              |                               |          | 920                       |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |                               |          |                           |  |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                  | RATE     |                           |  |
| Total claims  | - 20 =       |                               | \$18.00  |                           |  |
| Independent claims  | - 3 =        |                               | \$8 .00  |                           |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |                               | \$2 0.00 |                           |  |
| TOTAL OF ABOVE CALCULATIONS =   |              |                               |          |                           |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |                               |          | 460                       |  |
| SUBTOTAL =  |              |                               |          | 460                       |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |                               |          |                           |  |
| TOTAL NATIONAL FEE =  |              |                               |          | 460                       |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |              |                               |          |                           |  |
| TOTAL FEES ENCLOSED =   |              |                               |          | 460                       |  |
|   |              |                               |          | Amount to be refunded:    |  |
|   |              |                               |          | charged:                  |  |
| a. A check in the amount of _____ to cover the above fees is enclosed.  |              |                               |          |                           |  |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.   |              |                               |          |                           |  |
| c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.                            |              |                               |          |                           |  |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |              |                               |          |                           |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.   |              |                               |          |                           |  |
| SEND ALL CORRESPONDENCE TO:   |              |                               |          |                           |  |
| Y. ZAGYANSKY  |              |                               |          |                           |  |
| Entraide, 22 rue Ste Marthe   |              |                               |          |                           |  |
| 75010 Paris France  |              |                               |          |                           |  |
|   |              |                               |          | NAME                      |  |
|   |              |                               |          | zagyansky                 |  |
|   |              |                               |          | REGISTRATION NUMBER       |  |

FORM PTO-1300 (REV. 10-2003) page 2 of 2

(1 January 2004)

BEST AVAILABLE COPY

100508967

DT04 Rec'd PCT/PTO 25 SEP 2004

The PTO did not receive the following  
listed item(s) *NO POST CARD*

BEST AVAILABLE COPY

SEP 25 2004

107508967

DT04 Rec'd PCT/PTO 25 SEP 2004

COVERING LETTER.

Fax: 1-703-872-9306 Paris, 25th September 2004 p. 1 Fax

Mail Stop PCT,

Commissioner for Patents

Dr.Y.Zagyansky, Entraide, 22 rue Ste Marthe,

75010 Paris, France. Fax of 5 pages (all signed)

Appl. N°PCT/IB03/03315, filing date 10 July 2003 "PostEinstein-Bohr Definitive End and development of New Physics with consequences as superaccelerators and direct electricity transformation into light" (Priority date: 19 July 2002).

Dear Sir, §1. I AM ENTERING into US National phase (see also Forms PTO-1390 and PTO/SB/01 here) WITH ALL COMPLETELY UNCHANGED TEXT of above Application and International Bureau transmits you the text of this published (WO 03/084301) Application with de facto (made by WIPO) Form PCT/IB/308 as well claimed priority PCT/FR02/02583 (priority date 19 July 2002) (French Receiving Office) (applied for all PCT countries). So, I ask the immediate publication of this Application in USPTO.

§2. The Search for the most important Claim 5 (new accelerators) was perfect. Unity of Invention is too obvious. But VERY clearly directly oppositely to law, ISA (EPO) did not make Search for claims 6, 8 and 9. Although, it does not concern strongly the USPTO Search with 3 permitted independent claims. So for any case, I make obligatory command: the order for Search of Groups of claims (classified by ISA) is: firstly group of claims 4, 5, 7, after this: claim 6, after this: claim 9 and after this: claim 8 and after: claim 2 and 3. VERY IMPORTANT: In connection: I must seriously pay attention of USPTO for PCT Guidelines §9.05 ["Rule 39.1(i) PCT: If theories are... to produce a practical application... , Search is required..."] and §5.12 (even... processes upon living things). USPTO INDEED follows these PCT Guidelines as ISA for USA Applicants, it means for USA National phase too (in taking the same Search of uncorrected Application). You should read all this concerned information (in IB Dossier) in my Fax letter to K.Idris (WIPO Director) (03 Sept. 04) (MY PERFECT CLEAR EXPLANATION).

§3. I am original sole independent inventor of this Application with small Unity status who does not have any agreement concerning this application.

§4. Translation of priority normally is asked specially by USPTO. The text of priority is directly translated in this Application. So the need is improbable. But I shall send the translation (of PCT/FR02/02583) by post.

§5. PAYMENT. RESUME: I ask USPTO to pay (\$460) for basic fee of this Appl.PCT/IB03/03315 from certain excess (at least \$460), resting from payment of basic fee for my previous application (PCT/EP02/..). And ONLY in the case of resting money already after NEW payment for present last PCT/IB03/03315 to refund EXCESS with help of my credit card according to PTO-2038.

Explanations: (a) I sent (by Chronopost) the cheque (Société Générale) for \$460 attached by 4 staples to Form PTO-1390 (11 Aug.04), that was indeed received (08/12/04) according to ulterior special signed letter of Chronopost for my another previous application (PCT/EP02/..). IT was 1st (FIRST) receiving that USPTO had FIRSTLY to cash for PCT/EP.... (b) Due to (earlier) too strange dates indications in Chronopost Internet, I sent also the same sum by post (International Mandat N°23, Paris-Odeon, 16 Aug.04) (c) And to assure receiving of \$460, I sent by post and Faxes parallel Forms PTO-2038 with data of my Card VISA (I used such way firstly and was not sure), wherein I clearly wrote on this Form ("To use this payment (basic fee) ONLY if" other payments did not arrive). (d) I have the data from my Bank that USPTO used this way (Form PTO-2038 for data of Card VISA) to debit (08/24/04) \$460 from my Account (e) I do not have any news from USPTO with filing date of this Application (PCT/EP/02..) and explanations, in spite my asking by special Fax). (f) Without doubt, USPTO had at least separate \$460 + \$460 for basic fee of Application (PCT/EP02/..) and at least \$460 had to rest and I wrote in Covering letter "to communicate" me about it by my e-mails. Wherein I wrote that in such case: "immediately I shall enter my (present New) Application PCT/IB03/03315 for US National phase" (g). So ASK YOU TO USE THESE \$460 (of at least resting \$460) for basic fee of already NEW PRESENT Application PCT/IB03/03315. (h) ONLY IN THE CASE OF EXCESS (receiving of ALL: \$460 + \$460 + \$460: last one by International Mandat), USPTO will refund me this EXCESS with help of my credit card account. Sincerely yours Dr.Y.Zagyansky My e-mails for urgent information: zagyansk@cyberport.fm.fr AND zagyansky5.yuly@laposte.net

25th Sep 04